

03500.017449

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YUJI KONDO ET AL.

Application No.: 10/664,872

Filed: September 22, 2003

For: RECORDING MEDIUM HAVING
INK-RECEIVING LAYER AND
METHOD OF MANUFACTURING
THE SAME

)
:
Examiner: Betelhem Shewareged
)
:
Group Art Unit: 1774
)
:
)
:
)
:
)
:
)
:
September 27, 2005

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed August 31, 2005.

The Examiner has stated that the inventions of Group I (Claims 1-14) and Group II (Claims 15-26) are patentably distinct from each other for being directed to the process of making and the product made. However, Applicants respectfully submit that the two groups of claims are closely related and that a proper search of any of the claims of one group would likely include a search of the claims of the other group. Thus, it is submitted that all of the claims can be searched simultaneously and that a duplicative search with

possibly inconsistent results may occur if the restriction requirement is maintained.

Therefore, in the interest of economy, both for the Office and Applicants, withdrawal of the restriction requirement is respectfully solicited.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect the claims of Group I, namely Claims 1-14.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

JMC\gmc

DC_MAIN 217102v1